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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PRESTON BERMAN, on behalf of  
themselves and a class of those similarly  
situated,

Plaintiffs,

v.

OREGON; OREGON STATE HOSPITAL;  
SARA WALKER, in her official capacity as  
interim superintendent of the Oregon State  
Hospital; SEJAL HATHI, in her official  
capacity as Director of the Oregon Health  
Authority,

Defendants.

Case No. 6:24-CV-01968-MK

DEFENDANTS' MOTION FOR EXTENSION  
OF TIME

**LOCAL RULE 7-1 CERTIFICATION**

Counsel for the Defendants conferred with Plaintiff Preston Berman regarding this motion on Thursday, December 12, 2024. Plaintiff does not oppose the motion to extend the time to file an answer from December 26, 2024, to January 23, 2025.

## **MOTION**

Pursuant to Local Rule 16-3, Defendants move the Court to extend the time to respond to Plaintiff's Complaint to January 23, 2025. The complaint was served December 5, 2024. A response is currently due on December 26, 2024. Defendants' counsel requires additional time to review the legal and factual issues raised by Plaintiff's complaint. The complaint raises constitutional claims and claims under the Americans with Disabilities Act. The complaint together with its exhibits totals 153 pages and includes approximately 100 paragraphs, many with multiple and detailed factual allegations. On December 6, 2024, Plaintiff filed three additional exhibits to the complaint.

Defendants have begun investigating the allegations by identifying employees who will need to be interviewed, interviewing and scheduling interviews with those employees, and identifying and gathering documents for review. Prior to the filing or service of this lawsuit, some individuals necessary to the investigation, including individually named Defendants, scheduled time off coinciding with the end of the year.

Defendant requests an extension of four weeks to continue their investigation into the factual allegations made in the complaint and evaluate potential defenses and legal arguments necessary to prepare a responsive pleading. The extension will not affect any existing deadline, settings, or schedules. As indicated above, the parties have conferred, and Plaintiff does not oppose this motion.

Defendants respectfully request that the Court grant this motion and set the deadline to respond to Plaintiff's complaint to January 23, 2025.

DATED December 13, 2024.

Respectfully submitted,

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Attorney General

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Of Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I certify that on December 13, 2024, I served the foregoing **DEFENDANTS' MOTION FOR EXTENSION OF TIME** upon the parties hereto by the method indicated below, and addressed to the following:

Preston Berman  
2600 Center St. NE  
Salem, OR 97301  
*Pro Se Plaintiff*

\_\_\_ HAND DELIVERY  
X MAIL DELIVERY  
\_\_\_ OVERNIGHT MAIL  
\_\_\_ TELECOPY (FAX)  
\_\_\_ E-MAIL  
\_\_\_ E-SERVE

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